

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ADAM MWANZA,

Defendant.

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8:14CR83

ORDER

This matter is before the court on the motion to continue the February 2, 2015, trial by the government and the defendant Adam Mwanza's (Mwanza) request to reschedule trial after April 15, 2015 (Filing No. 45). The government's request is based on the unavailability of a material witness. Upon consideration, the motion will be granted.

**IT IS ORDERED:**

1. The motion to continue trial (Filing No. 45) is granted.
2. Trial of this matter is re-scheduled for **May 4, 2015**, before Senior Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **January 13, 2015, and May 4, 2015**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 13th day of January, 2015.

BY THE COURT:

s/ Thomas D. Thalken

United States Magistrate Judge